

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NORTH CAROLINA  
NORTHERN DIVISION  
Case No. 2:08-ct-00021-D

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KEITH MATHIS, et al.,

Plaintiffs,

v.

GEO GROUP, INC., et al.,

Defendants.

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)  
)  
) **MEMORANDUM IN SUPPORT OF GEO'S**  
) **MOTION TO DISMISS PLAINTIFF'S**  
) **SECOND AMENDED COMPLAINT**  
)  
)  
)

Plaintiff's Second Amended Complaint contains the same allegations against GEO as the First Amended Complaint. In an Order dated November 9, 2009, this Court determined that the First Amended Complaint failed to state a claim upon which relief may be granted against GEO. The reasoning that led the Court to grant GEO's Motion to Dismiss the First Amended Complaint is equally applicable to the Second Amended Complaint. GEO incorporates by reference the arguments raised in its Memorandum in Support of GEO's First Amended Complaint and the Reply Memorandum in Support of GEO's First Amended Complaint as if set forth fully herein. GEO requests that, based upon the reasoning in the November 9, 2009 Order, the Court enter an order dismissing it from this action.

This the 22nd day of January, 2010.

**WOMBLE CARLYLE SANDRIDGE & RICE**  
*A Professional Limited Liability Company*

By: /s/ Robert T. Numbers, II  
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**CERTIFICATE OF SERVICE**

This is to certify that on January 22, 2010, a copy of the foregoing **MEMORANDUM IN SUPPORT OF GEO'S MOTION TO DISMISS PLAINTIFF'S SECOND AMENDED COMPLAINT** was filed electronically with the Clerk of Court using CM/ECF system, with notice of case activity to be generated and sent electronically by the Clerk of Court to all counsel of record.

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